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### United States Bankruptcy Court Northern District of Illinois Eastern Division

Vol	luntary	Petition
- V ()	uiitai y	i ennon

Name of Debtor (if individual, enter Las		Name o	Name of Joint Debtor (Spouse) (Last, First, Middle)						
D'Arcy, W	ł		D'Arcy, Meg, Marie						
All Other Names used by the Debtor in and trade names):	rried, maider	FK	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names):  FKA Meg Williams						
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * ***-**-5852					ur digits of Soc. than one, stat	o all\ *	idual-Taxpaye *** <b>-</b> **-8	r I.D. (ITIN) No./Complete EIN	
Street Address of Debtor (No. & Street,	City, and State	e):		Street	Address of Joir	nt Debtor (No.	& Street, City	, and State):	
6249 Dolores Drive				_   624	9 Dolore	s Drive	<b>!</b>		
Oak Forest IL		6	0452	_   Oal	c Forest	IL		60452	
County of Residence or of the Principal	Place of Busir	ness:		County	of Residence	or of the Princ	cipal Place of E	Business:	
C	OOK						COOK		
Mailing Address of Debtor (if different from street address)					Address of Jo	int Debtor (if o	different from s	street address):	
Location of Principal Assets of Busines	Debtor (if diff	erent from str	eet address	above):					
Type of Debtor (Form of Organization (Check one box)		Nature of Bu (Check one				ptcy Code Ur	der Which th	e Petition is Filed (Check one box)	
Individual (includes Joint Debto See Exhibit D on page 2 of this form	-/	h Care Busine e Asset Real			napter 7 hapter 9		•	15 Petition for Recognition	
☐ Corporation (includes LLC & LL	defin	ed in 11 U.S.		) 🔲 cı	hapter 11		or a Fore	eign Main Proceeding	
☐ Partnership	' □ Railre			I —	napter 12 napter 13		15 Petition for Recognition eign Nonmain Proceeding		
Other (If debtor is not one of the	☐ Com	modity Broker	r		iaptei 10	Nature o	f Debts (Check		
above entities, check this box and state type of entity below.)	I	ring Bank							
and state type of entity below.)	Othe	Tax-Exempt	Entity		ebts are primari bts, defined in	•	☐ Deb	ots are primarily business ts.	
	(0	Check box, if ap	plicable.)	_	101(8) as "incu dividual primaril	•			
	orgar	nization under	r Title 26 of th	ne pe	rsonal, family,	•			
		d States Cod nue Code).	e (the Interna	al pu	rpose."				
Filing Fee	(Check <b>one</b> box	)		Chack	one box	Cha	apter 11 Debte	ors	
Filing Fee attached					Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D)				
☐ Filing Fee to be paid in installments	applicable in i	individuals on	lv). Must atta	ah	Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D)				
signed application for the court's count unable to pay fee except in installment	sideration cer	tifying that the	e debtor is	□ D	Check if:  ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affliates) are less than \$2,190,000.				
☐ Filing Fee wavier requested (application	ole to chapter	7 individuals	only). Must	Λ	k all applicable		etition		
attach signed application for the cou	t's considerat	ion. See Offic	cial Form 3B.		<ul> <li>A plan is being filed with this petition.</li> <li>Acceptances of the plan were solicited prepetition from one of more classes of creditors, in accordance with 11 U.S.C. § 1126(b).</li> </ul>				
Statistical/Administrative Informatio  Debtor estimates that funds will be		etribution to u	neocured ere	odtions				This space is for court use only	
■ Debtor estimates that, after any exe funds available for distribution to un	npt property is	s excluded ar			es paid, there w	vill be no			
Estimated Number of Creditors									
1- 50- 100- 49 99 199	200- 999	1,000- 5,000	5,001- 10,000	10,001 25,000	25,001 50,000	50,001 100,000	Over 100,000		
Estimated Assets									
\$0 to \$50,001to \$100,001 to \$50,000 \$100,000	\$500,001 to \$1	\$1,000,001 to \$10		\$50,000,001 to \$100	\$100,000,001 to \$500	\$500,000,001 to \$1billion	More than \$1 billion		
Estimated Liabilities	million	million	million	million	million				
\$0 to \$50,001 to \$100,001 to	\$500,001	\$1,000,001	\$10,000,001	\$50,000,001	<b>\$</b> 100,000,001	\$500,000,001	☐ More than		
\$50,000 \$100,000 \$500,000	to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1billion	\$1 billion		

Case 09-36338 Doc 1 Filed 09/30/09 Entered 09/30/09 12:24:57 Desc Main B1 (Official Form 1) (1/08) Document Page 2 of 46 **Voluntary Petition** Name of Debtor(s) D'Arcy, William Edward This page must be completed and filed in every case) **Meg Marie D'Arcy** All Prior Bankruptcy Case Filed Within Last 8 Years (if more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: None None Pending Bankruptcy Case Filed by any Spouse, Partner, or Affilate of this Debtor (if more than one, attach additional sheet) Name of Debtor: Date Filed: Case Number: None District: Relationship: Judge: **Exhibit B** Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 pursuant to Section 13 or 15 (d) of the Securities Exchange Act of or 13 of title 11, United States Code, and have explained the relief available under 1934 and is requesting relief under chapter 11.) each such chapter. I further certify that I have delivered to the debtor the notice required by 11 USC § 342(b). Exhibit A is attached and made a part of this petition. /s/ Mario M Arreola Mario M Arreola Dated: 09/29/2009 **Exhibit C** Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. Nο **Exhibit D** (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check the Applicable Box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) П Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of Landlord)

# Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)) 428475 B1 (Official

Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for

Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day

possession was entered, and

period after the filing of the petition.

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**Voluntary Petition** 

This page must be completed and filed in every case)

Name of Joint Debtor(s)

D'Arcy, William Edward Meg Marie D'Arcy

### **Signatures**

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

/s/ William Edward D'Arcy
William Edward D'Arcy

Dated: 09/29/2009

/s/ Meg Marie D'Arcy

Meg Marie D'Arcy

Dated: 09/29/2009

Signature of Attorney

/s/ Mario M Arreola

Signature of Attorney for Debtor(s)

### Mario M Arreola

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

Date: 09/29/2009

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule incorrect.

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition (Check only **one** box.)

□ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

### << Sign & Date on Those Lines

### << Sign & Date on Those Lines

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



# Document Page 4 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

Bankruptcy Docket #:

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunites for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Dated: 09/29/2009 /s/ William Edward D'Arcy
William Edward D'Arcy



Sign & Date Here

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In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

Bankruptcy Docket #:

### **EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH** CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the

Dated:	09/29/2009	/s/ Meg Marie D'Arcy Meg Marie D'Arcy	Sign & Date Here
		/o/ Mag Maria D'Aray	Cian 9 Data
I certify	under penalty of perjury	that the information provided above is true and correct.	
L does	s not apply in this district.		
<u> </u>	5. The United States trustee or	r bankruptcy administrator has determined that the credit counseling requirement	ent of 11 U.S.C. § 109(h)
	Active military duty in a mili		
narti		I.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after re fing in person, by telephone, or through the Internet.);	asonable effort, to
of re		U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficience ions with respect to financial responsibilities.);	cy so as to be incapable
by a	4. I am not required to receive motion for determination by the o	a credit counseling briefing because of: [Check the applicable statement.] [Noourt.]	lust be accompanied
mar the	r bankruptcy petition and promptl nagement plan developed through 30-day deadline can be granted o	y to the court, you must still obtain the credit counseling briefing within the first y file a certificate from the agency that provided the counseling, together with an the agency. Failure to fulfill these requirements may result in dismissal of younly for cause and is limited to a maximum of 15 days. Your case may also being your bankruptcy case without first receiving a credit counseling briefing.	a copy of any debt ur case. Any extension of
so	ys from the time I made my reque	edit counseling services from an approved agency but was unable to obtain the est, and the following exigent circumstances merit a temporary waiver of the crw. [Must be accompanied by a motion for determination by the court.] [Summa	edit counseling requirement
pe a c	ited States trustee or bankruptcy rforming a related budget analysis	e the filing of my bankruptcy case, I received a briefing from a credit counseling administrator that outlined the opportunties for available credit counseling and s, but I do not have a certificate from the agency describing the services provided to you and a copy of any debt repayment ter your bankruptcy case is filed.	I assisted me in ded to me. You must file
pei	rforming a related budget analysis	administrator that outlined the opportunties for available credit counseling and s, and I have a certificate from the agency describing the services provided to payment plan developed through the agency.	

PFG Record # B 1D (Official Form 1, Exh.D)(12/08) 428475

# Document Page 6 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

			AMOL		
Name of Schedule	Attached YES   NO	Pages	Assets	Liabilities	Other
SCHEDULE A - Real Property	Yes	1	\$280,000	\$-	\$-
SCHEDULE B - Personal Property	Yes	3	\$18,225	\$-	\$-
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$308,200	\$-
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$-	\$-
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$102,450	\$-
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$4,061
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$4,059
TOTALS	\$ 298,225 TOTAL ASSETS	\$ 410,650 TOTAL LIABILITIES			

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

Bankruptcy Docket #:

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159 Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 0
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 0
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 0

### State the following:

Average Income (from Schedule I, Line 16)	\$ 4,060.90
Average Expenses (from Schedule J, Line 18)	\$ 4,059.00
Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20)	\$ 5,442.95

#### State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 975.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 102,450.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 103,425.00

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# Document Page 8 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
6249 Dolores Dr., Oak Forest, IL 60452 (Debtors' residence)	Fee Simple	J	\$ 280,000	\$ 294,200

Total Market Value of Real Property
(Report also on Summary of Schedules)

\$280,000.00

PFG Record # 428475 B6A (Official Form 6A) (12/07) Page 1 of 1

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or quardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property		Debtor's Propert Deduc	t Value of Interest in y, Without ting Any d Claim or
01. Cash on Hand	X				
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.		Standard Bank - checking	J	\$	500
03. Security Deposits with public utilities, telephone companies, landlords and others.	X				
04. Household goods and furnishings, including audio, video, and computer equipment.		Household goods; TV, DVD player, computer, sofa, loveseat, vacuum, table/chairs, lamps, TV stand, bedroom sets, washer/dryer, large appliances, microwave, dishes/flatware, pots/pans, grill, lawn mower	J	\$	2,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, CDs, tapes, DVDs, family pictures	J	\$	100
06. Wearing Apparel					
		Necessary wearing apparel	J	\$	400
07. Furs and jewelry.		Earrings, watch, costume jewelry, wedding rings	J	\$	200
08. Firearms and sports, photographic, and other hobby equipment.  PEG Record # 428475	X			(40/07)	Dama 4 -552

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

SCHEDULE B - PERSONAL PROPERTY						
Type of Property	N O N E	Description and Location of Property	L M L	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or		
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.						
		Term life insurance through work - no cash surrender value	Н	None		
10. Annuities. Itemize and name each issuer.	X					
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X					
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars		Pension w/ employer - 100% exempt	Н	\$ 2,000		
13. Stocks and interests in incorporated and unincorporated businesses.	X	rension w/ employer - 100 /6 exempt	П	Ψ 2,000		
14. Interest in partnerships or joint ventures. Itemize. Itemize.	X					
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X					
16. Accounts receivable	X					
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X					
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X					
19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X					
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X					
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.	X					
22. Patents, copyrights and other intellectual property. Give particulars.	X					
23. Licenses, franchises and other general intangibles.	X					
DEC Decord # 400475		HINNER HI	Uma CB	(12/07) Page 2 of 3		

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

SCHEDULE B - PERSONAL PROPERTY				
Type of Property	N O N E	Description and Location of Property	H W J C	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X			
25. Autos, Truck, Trailers and other vehicles and accessories.				
		Franklin Capital - 2003 Kia Sorrento - over 56,000 miles	J	\$ 4,100
		Toyota Motor Credit - 2003 Lexus ES 300 - over 52,000 miles	J	\$ 8,925
26. Boats, motors and accessories.	X			
27. Aircraft and accessories.	X			
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplie used in business.	X			
30. Inventory	X			
31. Animals		Family pets - 2 dogs	J	None
32. Crops-Growing or Harvested. Give particulars.	X	ranni, pote 2 aogo		
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.	X			
		<b>Total</b> (Report also on Summary of Schedules)		\$18,225

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## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

SCHEDULE C - PROPERTY CLAIMED EXEMPT								
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875						

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
00. Real Property 6249 Dolores Dr., Oak Forest, IL 60452 (Debtors' residence)	735 ILCS 5/12-901	\$ 30,000	\$ 280,000
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.  Standard Bank - checking	735 ILCS 5/12-1001(b)	\$ 500	\$ 500
04. Household goods and furnishings, including audio, video, and computer equipment.  Household goods; TV, DVD player, computer, sofa, lovesea vacuum, table/chairs, lamps, TV stand, bedroom sets, washer/dryer, large appliances, microwave, dishes/flatware, pots/pans, grill, lawn mower	735 ILCS 5/12-1001(b)	\$ 2,000	\$ 2,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  Books, CDs, tapes, DVDs, family pictures	735 ILCS 5/12-1001(a)	\$ 100	\$ 100
06. Wearing Apparel  Necessary wearing apparel	735 ILCS 5/12-1001(a),(e)	\$ 400	\$ 400
07. Furs and jewelry.  Earrings, watch, costume jewelry, wedding rings	735 ILCS 5/12-1001(a),(e)	\$ 200	\$ 200
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars  Pension w/ employer - 100% exempt	735 ILCS 5/12-1006	\$ 2,000	\$ 2,000
25. Autos, Truck, Trailers and other vehicles and accessories.  Toyota Motor Credit - 2003 Lexus ES 300 - over 52,000 miles	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 8,925

# Document Page 13 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

			Ū	·					
	Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	H W J C	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
1	America's Servicing Co. Attn: Bankruptcy Dept. 7485 New Horizon Way Frederick MD 21703 Acct No.: 1061218029313		J	Dates: 11/4/04 Nature of Lien: Mortgage Market Value: \$ 280,000 Intention: None *Description: 6249 Dolores Dr., Oak Forest, IL 60452 (Debtors' residence)				\$ 232,200	\$ 0
2	Pranklin Capital Attn: Bankruptcy Dept. 47 W 200 S Ste 500 Salt Lake City UT 84101 Acct No.: 1071507		J	Dates: 2003 Nature of Lien: Lien on Vehicle - PMSI Market Value: \$ 4,100 Intention: Reaffirm 524 (c) *Description: Franklin Capital - 2003 Kia Sorrento - over 56,000 miles				\$ 5,000	\$ 900
3	Attn: Bankruptcy Dept. Po Box 9068 Brandon FL 33509 Acct No.: 12543815		J	Dates: 12/22/05 Nature of Lien: Mortgage - Second Market Value: \$ 280,000 Intention: None *Description: 6249 Dolores Dr., Oak Forest, IL 60452 (Debtors' residence)				\$ 62,000	\$ 0

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In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	H W J C	* Date Claim was Incured * Nature of Lien *Value of Property Subject to Lien *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
4 Toyota Motor Credit Company Attn: Bankruptcy Dept. 1111 W 22Nd St Ste 420 Oak Brook IL 60523 Acct No.: 70400463549430001		J	Dates: 2006  Nature of Lien: Lien on Vehicle - PMSI  Market Value: \$ 8,925  Intention: Reaffirm 524 (c)  *Description: Toyota Motor Credit - 2003  Lexus ES 300 - over 52,000  miles				\$ 9,000	\$ 75

Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Lexus Financial Services Bankruptcy Department PO Box 5855 Carol Stream IL 60197

Total

\$ 308,200

\$ 975

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

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## Document Page 15 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYP	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	<b>Domestic Support Obligations</b> Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
	Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	Deposits by individuals Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
	Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy / Debtors

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
1 <u>Bank of America</u> C/O CACH LLC 370 17Th St Ste 5000 Denver CO 80202 Acct #: 15222002090201531		Н	Dates: 2004-09 Reason: Credit Card or Credit Use				\$ 4,100

Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Bank of America Bankruptcy Department PO Box 15168 Wilmington DE 19850

2	Bank of America Attn: Bankruptcy Dept. Po Box 1598 Norfolk VA 23501	W	Dates: 2006-09 Reason: Credit Card or Credit Use		\$ 3,50	00
	Acct #: 8894					

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In re

William Edward D'Arcy and Meg Marie D'Arcy / Debtors

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS								
Cr	editor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim	
3	Bank of America Attn: Bankruptcy Dept. Po Box 1598 Norfolk VA 23501		w	Dates: 2006-08 Reason: Credit Card or Credit Use				\$ 5,800	
4	Acct #: 8894  Capital One C/O LVNV Funding LLC Po Box 740281 Houston TX 77274		Н	Dates: 2004-09 Reason: Credit Card or Credit Use				\$ 11,300	
	Acct #: 4121 7413 4968 0376								

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Capital One Bankruptcy Department PO Box 30281 Salt Lake City UT 84130

5	Capital One C/O LVNV Funding LLC Po Box 740281 Houston TX 77274	Н	Dates: 2004 Reason: Credi	-09 it Card or Credit Use		\$ 2,600	
	Acct #: 4862 3625 0014 4954						

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Capital One Bankruptcy Department PO Box 85520 Richmond VA 23285

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William Edward D'Arcy and Meg Marie D'Arcy / Debtors

SCHEDULE F - CREDITORS		NAIGH BRIARITY OF A 1840
SCHEDULL - CKEDITOK	DIOLDING UNSLCUILL	TION-FINDINI I CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
6 <u>Capital One</u> Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285		Н	Dates: 2001-09 Reason: Credit Card or Credit Use				\$ 2,200
Acct #: 5852							

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Clerk, First Mun Div Doc #09M1 164571 50 W. Washington St., Rm. 1001 Chicago IL 60602

Blitt and Gaines, PC Bankruptcy Department 661 Glenn Ave. Wheeling IL 60090

7 Capital One
---------------

In re

Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285

Acct #: 5852

Dates: 2001-09

Reason: Credit Card or Credit Use

\$ 3,700

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Clerk, First Mun Div Doc# 09-M1-164574 50 W. Washington St., Rm. 1001 Chicago IL 60602

Blitt and Gaines, PC Bankruptcy Department 661 Glenn Ave. Wheeling IL 60090

8 (	Capi	tal (	One
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Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285

Acct #: 8894

W Dates: 2001-09

Reason: Credit Card or Credit Use

\$ 1,400

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# Document Page 19 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

William Edward D'Arcy and Meg Marie D'Arcy / Debtors

In re

SCHEDULE F - CI	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS					
Creditor's Name, Mailing Add Zip Code and Account (See Instructions Abo	Number 명		Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State  Output  Diagram of Claim  Claim	of		
9 Capital One Attn: Bankruptcy Dept. Po Box 85520 Richmond VA 23285 Acct #: 8894		W	Dates: 2004-09 Reason: Credit Card or Credit Use \$ 3,400	D		
10 Catherines Attn: Bankruptcy Dept. 1103 Allen Dr Milford OH 45150 Acct #: 8894		w	Dates: 2002-09 Reason: Credit Card or Credit Use \$ 900	)		
11 Chase  Bankruptcy Department 800 Brooksedge Blvd. Westerville OH 43081  Acct #: 5852		J	Dates: 2007 Reason: Credit Card or Credit Use \$ 11,200	0		

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Steven J. Fink & Associates Attn: Bankruptcy Department 25 E. Washington St. # 1125

Chicago IL 60602

Clerk, First Mun Div Doc #09M1 156660

50 W. Washington St., Rm. 1001

Chicago IL 60602

12 <u>Discover Bank</u> Attn: Bankruptcy Dept. Po Box 15316 Wilmington DE 19850	Н	Dates: 2006-09 Reason: Credit Card or Credit Use	\$ 10,400
Acct #: 5852			
13 <u>Discover Bank</u> Attn: Bankruptcy Dept. Po Box 15316 Wilmington DE 19850	w	Dates: 2006-09 Reason: Credit Card or Credit Use	\$ 6,700
Acct #: 8894			

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

William Edward D'Arcy and Meg Marie D'Arcy / Debtors

In re

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS						
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated Disputed	Amount of Claim
14 Emerge		w	Dates: 2000-08			

Reason: Credit Card or Credit Use

4,900

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Jefferson Capital Systems Bankruptcy Department 16 McLeland Road St. Cloud MN 56303

Attn: Bankruptcy Dept.

Po Box 105655 Atlanta GA 30348 Acct #: 8894

15 Equifax Attn: Bankruptcy Dept. P.O. Box 740241 Atlanta GA 30374 Acct #: XXXXX5852	Dates: 2009 Reason: Notice Only	\$ 0
16 Experian Attn: Bankruptcy Dept. P.O. Box 2002 Allen TX 75013 Acct #: XXXXX5852	Dates: 2009 Reason: Notice Only	\$ 0
17 <u>GE Capital</u> C/O LVNV Funding LLC Po Box 740281 Houston TX 77274 Acct #: 6044 0511 0004 9921	W Dates: 2004-09 Reason: Credit Card or Credit Use	\$ 5,900
18 HSBC/Suzki Attn: Bankruptcy Dept. Po Box 703 Wood Dale IL 60191 Acct #: 5852	H Dates: 2005-09 Reason: Deficiency, Repo'd/Surr'd Auto	\$ 8,200

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William Edward D'Arcy and Meg Marie D'Arcy / Debtors

In re

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H W J	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
19 Kohls/Chase Attn: Bankruptcy Dept. N56 W 17000 Ridgewood Dr Menomonee Falls WI 53051 Acct #: 8894		w	Dates: 2007-09 Reason: Credit Card or Credit Use				\$ 1,600
20 Macy's/DSNB Attn: Bankruptcy Dept. 9111 Duke Blvd Mason OH 45040 Acct #: 8894		W	Dates: 2006-09 Reason: Credit Card or Credit Use				\$ 1,700
Palos Community Hospital Bankruptcy Department 12251 S. 80th Ave. Palos Heights IL 60463 Acct #: X114632961		J	Dates: 5/09 Reason: Medical/Dental Services				\$ 2,500
22 Sears/CBSD Attn: Bankruptcy Dept. Po Box 6189 Sioux Falls SD 57117 Acct #: 5852		Н	Dates: 2004-09 Reason: Credit Card or Credit Use				\$ 450

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Sears Bankruptcy Recovery Citibank USA Sears PO Box 20363 Kansas City MO 64195

23 <u>Target National Bank</u> Attn: Bankruptcy Dept. Po Box 673 Minneapolis MN 55440	Н	Dates: 2007-09 Reason: Credit Card or Credit Use		\$	600
Acct #: 5852					

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy / Debtors

SCHEDULE F - CREDITORS	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed		ount of laim
24 Target National Bank Attn: Bankruptcy Dept. Po Box 673 Minneapolis MN 55440 Acct #: 8894		w	Dates: 2007-09 Reason: Credit Card or Credit Use				\$	900
25 <u>TransUnion</u> Attn: Bankruptcy Dept. P.O. Box 1000 Chester PA 19022 Acct #: XXXXX5852			Dates: 2009 Reason: Notice Only				\$	0
26 University of Chicago Hospital Bankruptcy Department 1122 Paysphere Circle Chicago IL 60674 Acct #: ****5852		J	Dates: 2007-2009 Reason: Medical/Dental Services				\$	5,100
27 Wal-Mart/GEMB Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: 8894		w	Dates: 2006-09 Reason: Credit Card or Credit Use				\$	2,500

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Meyer & Njus, PA Bankruptcy Department 134 N. LaSalle St., Ste. 1840 Chicago IL 60602

Clerk, First Mun Div Doc #09M1 135229 50 W. Washington St., Rm. 1001 Chicago IL 60602

28 Wells Fargo Finance Attn: Bankruptcy Dept. 1319 Sagamore Pkwy N Lafayette IN 47904	Н	Dates: 2007-08 Reason: Personal Loan	\$ 900
Acct #: 105250739064177			

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William Edward D'Arcy and Meg Marie D'Arcy / Debtors

Creditor's Name, Mailing Address Including
Zip Code and Account Number
(See Instructions Above)

In re

Codebtor O C M H

Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State nliquidated Disputed

Amount of Claim

Total Amount of Unsecured Claims

(Report also on Summary of Schedules)

\$ 102,450.00

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# Document Page 24 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

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# Document Page 25 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	

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# UNITED STATES BARKRUPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

Bankruptcy Docket #:

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEE	BTOR AND SPOUSE ~ RELATIONSHIP AND AGE
Status: Married	3, son	
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT
Occupation:	Sales	Unemployed
Name of Employer:	Carson's Furniture Gallery	
Years Employed	approx. 1 year	
Employer Address:	66 Orland Park Pl.	
City, State, Zip	Orland Park, IL 60462	,

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE
1. Monthly Gross Wages, Salary, and commissions	\$ 5,276.27	\$ 0.00
(Prorate if not paid monthly.)  2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00
3. SUBTOTAL	\$ 5,276.27	\$ 0.00
4. LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ 851.65	\$ 0.00
b. Insurance	\$ 344.57	\$ 0.00
c. Union Dues	\$ 0.00	\$ 0.00
d. Other (Specify) Pension:	\$ 0.00	\$ 0.00
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00
Child Support:	\$ 0.00	\$ 0.00
Life Insurance, Uniforms, 401K Loan:	\$ 19.15	\$ 0.00
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 1,215.37	\$ 0.00
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 4,060.90	\$ 0.00
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00
8. Income from real property	\$ 0.00	\$ 0.00
Interest and dividends	\$ 0.00	\$ 0.00
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00
12. Pension or retirement income	\$ 0.00	\$ 0.00
13. Other monthly income (Specify:) & & &	\$ 0.00	\$ 0.00
Unemployment Income	\$ 0.00	\$ 0.00
14. SUBTOTAL OF LINES 7 THROUGH 13		
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 4,060.90	\$ 0.00
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin	\$ 4,06	0.90
if there is only one debtor repeat total reported on line 15.)	Report also on Summary of Schedules and	. if applicable, on Statistical Summary

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

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<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

## UNITED SPATES BARKRUPTEN COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

Bankruptcy Docket #:

## SCHEDULE J - CURRENT EXPENSES OF INDIVIDUAL DEBTOR(S) Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family at time case filed. Prorate any

payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.  Check box if joint petition is filed & debtor's spouse maintains a separate household. Complete a separate schedule of expenditure	es laheled "Snouse"
Rent or home mortgage payment (include lot rented for mobile home)	\$ 2,519.00
a. Real Estate taxes included? [x] Yes [] No b. Property insurance included? [x] Yes [] N	
2. Utilities: a. Electricity and Heating Fuel	\$ 150.00
b. Water, Sewer, Garbage	\$ 15.00
c. Cellphone, Internet	\$ -
d. Other Home Phone and Cable Television	\$ 65.00
3. Home Maintenance (repairs and upkeep)	\$ -
4. Food	\$ 300.00
5. Clothing	\$ 20.00
6. Laundry and Dry Cleaning	\$ 30.00
7. Medical and Dental Expenses	\$ -
3. Transportation (not including car payments) Gas, Tolls/Parking, Fees/Licenses, Repair, Bus/Tra	
9. Recreation, Clubs and Entertainment, Newspapers, Magazines, etc.	\$ -
10. Charitable Contributions	\$ -
11. Insurance (not deducted from wages or included in home mortgage payments)	\$ -
<ul><li>a. Homeowner's or Renter's</li><li>b. Life</li></ul>	\$ -
c. Health	<b>\$</b> -
d. Auto	\$ 90.00
e. Other	\$-
12. Taxes (not deducted from wages or included in home mortgage payments)	<del>-</del>
(Specify) Federal or State Tax Repayments, Real Estate Taxes	\$ -
13. Installment Payments: (In Chapter 11, 12, and 13 cases, do not list payments to be included in plar a. Auto	n) \$785.00
b. Reaffirmation Payments	\$ -
c. Other \$-	\$-
14. Alimony, maintenance and support paid to others	<b>\$</b> -
15. Payments for support of additional dependents not living at your home	\$-
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ -
17. Other: Haircuts, Hygiene, Newspaper/Mags & Tuition, Books & Childcare & Pet Eyecare, Meds Postage/Banking GLS Repay: Babysitting Care:	
\$20.00 \$0.00 \$0.00 \$- \$-	\$20.00
<b>18. AVERAGE MONTHLY EXPENSES</b> (Total lines 1-17. Report also on Summary of Schedules and if applicable, on the Stastical of Summary of Certain Liabilities and Related Data.	\$ 4,059.00
19. Describe any increase/decrease in expenditures anticipated to occur within the year following the fi	ling this document

20. STATEMENT OF MONTHLY NET INCOME	a. Average monthly income from Line 15 of Schedule I	\$ 4,060.90
	b. Average monthly expenses from Line 18 above	\$ 4,059.00
	c. Monthly net income (a. minus b.)	\$ 1.90
	d. Total amount to be paid into plan monthly	\$ -

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

Bankruptcy Docket #:

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated:	09/29/2009	/s/ William Edward D'Arcy	X Date & Sign
		William Edward D'Arcy	
Dated:	09/29/2009	/s/ Meg Marie D'Arcy	X Date & Sign
		Meg Marie D'Arcy	

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

PFG Record #

# Document Page 29 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2009: \$5,276/month 2008: \$60,681 2007: \$50,000	employment	
Spouse		
AMOUNT	SOURCE	-

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In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

Spouse		
AMOUNT	SOURCE	
2009: none 2008: none 2007: \$17,000	employment	
02. INCOME OTHER THAN F	ROM EMPLOYMENT OR OPERATION OF	: BUSINESS:
		lyment, trade, profession, operation of the debtor's business during we particulars. If a joint petition is filed, state income for each
spouse separately. (Married de		must state income for each spouse whether or not a joint petition
spouse separately. (Married do is filed, unless the spouses are	ebtors filing under chapter 12 or chapter 13 esparated and a joint petition is not filed.)	must state income for each spouse whether or not a joint petition
spouse separately. (Married do is filed, unless the spouses are AMOUNT  2009: \$1,000 2008: \$7,937	ebtors filing under chapter 12 or chapter 13 e separated and a joint petition is not filed.)  SOURCE	must state income for each spouse whether or not a joint petition
spouse separately. (Married do is filed, unless the spouses are AMOUNT  2009: \$1,000 2008: \$7,937 2007: none	ebtors filing under chapter 12 or chapter 13 e separated and a joint petition is not filed.)  SOURCE	must state income for each spouse whether or not a joint petition

Complete a. or b. as appropriate, and c.

a. INDIVIDUAL OR JOINT DEBTOR(S) WITH PRIMARILY CONSUMER DEBTS: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately proceeding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600.00. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor	Dates of Payments	Amount Paid	Amount Still Owing
America's Servicing Co., see Schedule D	monthly	\$1,817/month	\$232,200
Franklin Capital, see	monthly	\$469/month	\$5,000

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

03. PAYMENTS TO CREDITORS:

Complete a. or b. as appropriate, and c.

a. INDIVIDUAL OR JOINT DEBTOR(S) WITH PRIMARILY CONSUMER DEBTS: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately proceeding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600.00. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address	Dates of	Amount	Amount
of Creditor	Payments	Paid	Still Owing
HSBC/MS, see Schedule D	monthly	\$702/month	\$62,000
Toyota Motor Credit, see Schedule D	monthly	\$318/month	\$9,000



b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address	Dates of	Amount Paid or Value of	Amount
of Creditor	Payment/Transfers	Transfers	Still Owing



c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name & Address of Creditor	Dates	Amount Paid or Value of	Amount
& Relationship to Debtor	of Payments	Transfers	Still Owing

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Chase v. William D'Arcy, 09-M1-156660	small claims	<b>Cook County Circuit Court</b>	judgment entered
CASE NUMBER	PROCEEDING	AND LOCATION	DISPOSITION
SUIT AND	OF	OF AGENCY	OF
CAPTION OF	NATURE	COURT	STATUS

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND	NATURE OF	COURT OF AGENCY	STATUS OF
CASE NUMBER	PROCEEDING	AND LOCATION	DISPOSITION
Capital One Bank v. William D'Arcy, 09-M1-164574	small claims	cook County Circuit Court	pending
Capital One Bank v. William D'Arcy, 09-M1-164571	small claims	Cook County Circuit Court	pending
GE Money Bank v. Meg D'Arcy, 09-M1-135229	small claims	Cook County Circuit Court	judgment entered



04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person Date Description for Whose Benefit Property of and Value was Seized Seizure of Property

#### 05. REPOSSESSION, FORECLOSURES AND RETURNS:

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor or Seller	Date of Repossession, Foreclosure Sale, Transfer or Return	Description and Value of Property
HSBC/Suzuki, see Schedule F	11/18/08	2005 Suzuki C90 worth \$6,700

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In re

06. ASSIGNMENTS AND	RECEIVERSHIPS:		
case. (Married debtors fili	ent of property for the benefit of creditors made wit ng under chapter 12 or chapter 13 must include a e spouses are separated and a joint petition is not	ny assignment by either or both	•
Name and	Date	Terms of	
Address of	of	Assignment or	
Assignee	Assignment	Settlement	
preceding the commence	has been in the hands of a custodian, receiver, or ment of this case. (Married debtors filing under ch spouses whether or not a joint petition is filed, unle	apter 12 or chapter 13 must inc	lude information concerning
Name and	Name & Location	Date	Description
Address	of Court Case	of	and Value of
of Custodian	Title & Number	Order	Property
usual gifts to family members than \$100 per recipient. (	contributions made within one year immediately propers aggregating less than \$200 in value per indivibution and the second state of the second	dual family member and charita 13 must include gifts or contrib	able contributions aggregating

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In re

NONE

NONE

S	TATEMENT OF FI	NANCIAL AFFAIRS	
09. PAYMENTS RELATED TO DEB	T COUNSELING OR BANKRUF	PTCY:	
	under the bankruptcy law or pre	debtor to any persons, including attorr paration of a petition in bankruptcy wit	
Name and Address of Payee		Date of Payment, Name of Payer if Other Than Debtor	Amount of Money or Description and Value of Property
Law Offices of Peter Francis Geraci 55 E Monroe St Suite#3400 Chicago,IL 60603		2009	Payment/Value: \$1,000.00
	rneys, for consultation concernir	PTCY: List all payments made or proping debt consolidation, relief under the timencement of this case.	•
Name and Address of Payee		Date of Payment, Name of Payer if Other Than Debtor	Amount of Money or description and Value of Property
MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227		9/28/09	\$50.00
10. OTHER TRANSFERS			
transferred either absolutely or as se	ecurity with two (2) years immedi must include transfers by either	ary course of the business or financial ately preceding the commencement of or both spouses whether or not a joint	this case. (Married debtors
Name and Address of		Describe Property	
Transferee, Relationship		Transferred and	
to Debtor	Date	Value Received	
10b. List all property transferred by t trust or similar device of which the d	` · · •	nmediately preceding the commencen	nent of this case to a self-settled
Name of	Date(s)	Amount and Date	
Trust or	of	of Sale or	
other Device	Transfer(s)	Closing	

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# Document Page 35 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

STATEMENT	OF	FINΔ	NCIAL	<b>AFFAIRS</b>
SIAIFIVIEN				AFFAIRO

NONE

#### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and Date of Sale or Closing

NONE

#### 12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Bank or Other Depository Names & Addresses of Those With Access to Box or depository Description of Contents Date of Transfer or Surrender, if Any

NONE

### 13. SETOFFS:

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor

Date of Setoff

Amount of Setoff

NONE

### 14. LIST ALL PROPERTY HELD FOR ANOTHER PERSON:

List all property owned by another person that the debtor holds or controls.

Name and Address of Owner

Description and Value of Property

Location of Property

# Document Page 36 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

STATEMENT OF FINANCIAL AFFAIRS			
15. PRIOR ADDRESS OF DE	BTOR(S):		
	ee (3) years immediately preceding the conduction of the commencement of		-
Address	Name Used	Dates of Occupancy	-
16. SPOUSES and FORMER	SPOUSES:		
Louisiana, Nevada, New Mexi	d in a community property state, common co, Puerto Rico, Texas, Washington, or V dentify the name of the debtor's spouse a	Visconsin) within eight (8) years in	nmediately preceding the
Name			
17. ENVIRONMENTAL INFOR	RMATION:		
For the purpose of this questic	on, the following definitions apply:		
toxic substances, wastes or m	ny federal, state, or local statute or regula aterial into the air, land, soil surface wate ing the cleanup of the these substances,	r, ground water, or other medium,	
	ility, or property as defined under any Enving, but not limited to, disposal sites.	vironmental Law, whether or not p	resently or formerly owned o
"Hazardous material" means a environmental Law.	anything defined as a hazardous waste, h	azardous or toxic substances, pol	lutant, or contaminant, etc. u
	ss of every site for which the debtor has re violation of an Environmental Law. Indica		-
Site Name	Name and Address	Date	Environmental
and Address	of Covernmental Unit	of Notice	Low

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In re

			ANCIAL AFFAIRS	
		every site for which the debtor provio unit to which the notice was sent ar	_	a release of Hazardous
_	Site Name and Address	Name and Address of Governmental Unit	Date of Notice	Environmental Law
C	-	e proceedings, including settlements e name and address of the governm		
	Name and Address of	Docket	Status of	
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a F ii V	Governmental Unit  18 NATURE, LOCATION AND NAMe. If the debtor is an individual, list the ending dates of all businesses in who partnership, sole proprietor, or was mmediately preceding the commer within six (6) years immediately prefit the debtor is a partnership, list the	Number  ME OF BUSINESS  the names, addresses, taxpayer ider nich the debtor was an officer, direct self-employed in a trade, profession cement of this case, or in which the ceding the commencement of this ca- e names, addresses, taxpayer identi- nich the debtor was a partner or owr	Disposition  Itification numbers, nature of the buor, partner, or managing executive, or other activity either full- or partdebtor owned 5 percent or more of ase.	of a corporation, partner in a time within six (6) years the voting or equity securities nesses, and beginning and
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# Document Page 38 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

	STATEMENT OF FI	NANCIAL AFFAIRS
has been, within six years imme executive, or owner of more than	diately preceding the commencement n 5 percent of the voting or equity sec	a corporation or partnership and by any individual debtor who is of this case, any of the following: an officer, director, managing urities of a corporation; a partner, other than a limited partner, of or other activity, either full- or part-time.
	ceding the commencement of this cas	ement only if the debtor is or has been in business, as defined above. A debtor who has not been in business within those six years
19. BOOKS, RECORDS AND F	INANCIAL STATEMENTS:	<del></del>
List all bookkeepers and account the keeping of books of account	` , <del>, ,</del>	iately preceding the filing of this bankruptcy case kept or supervi
Name and Address	Dates Services Rendered	
	. , ,	preceding the filing of this bankruptcy case have audited the boo
account and records, or prepare	d a financial statement of the debtor.	
Name	Address	Dates Services Rendered
	who at the time of the commencements of account and records are not availa	of this case were in possession of the books of account and recable, explain.
Name	Address	
	creditors and other parties, including 2) years immediately preceding the commence of the comm	mercantile and trade agencies, to whom a financial statement wo
Name and	Date	

Issued

Address

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In re

	STATEMENT OF FIR	NANCIAL AFFAIRS	
20. INVENTORIES			
List the dates of the last the dollar amount and ba	two inventories taken of your property, the naasis of each inventory.	me of the person who supervised th	e taking of each inventory, a
Date	Inventory	Dollar Amount of Inventory	
of	Curan dana	(specify cost, market of other	
Inventory	Supervisor	basis)	
b. List the name and add	dress of the person having possession of the r	records of each of the inventories re	ported in a., above.
Date of Inventory	Name and Addresses of Custodian of Inventory Records		
ם. זו נוופ טפטנטו וז מ אמונוו	nership, list nature and percentage of interest	or cacif member of the partite SHIP.	
Name and Address	Nature of Interest	Percentage of Interest	
and Address 21b. If the debtor is a co	of Interest	Interest poration; and each stockholder who	directly or indirectly owns,
and Address  21b. If the debtor is a co controls, or holds 5% or	of Interest	poration; and each stockholder who corporation.	directly or indirectly owns,
and Address 21b. If the debtor is a co	of Interest	Interest poration; and each stockholder who	directly or indirectly owns,
and Address  21b. If the debtor is a co controls, or holds 5% or Name and Address	of Interest  rporation, list all officers & directors of the cormore of the voting or equity securities of the common control of the control of	poration; and each stockholder who corporation.  Nature and Percentage of Stock Ownership	directly or indirectly owns,
and Address  21b. If the debtor is a co controls, or holds 5% or Name and Address  22. FORMER PARTNER	of Interest  rporation, list all officers & directors of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the cormore of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting or equity securities of the cormore of the voting of th	poration; and each stockholder who corporation.  Nature and Percentage of Stock Ownership	
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and Address  21b. If the debtor is a co controls, or holds 5% or Name and Address  22. FORMER PARTNER  If the debtor is a partners  . Name  22b. If the debtor is a co	rporation, list all officers & directors of the cormore of the voting or equity securities of the common of the voting of the voting or equity securities of the common of the voting or equity securities of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the common of the voting or equity securities of the voting or equity securities of the vo	poration; and each stockholder who corporation.  Nature and Percentage of Stock Ownership  IOLDERS: Ship interest of each member of the Date of Withdrawal	partnership.
and Address  21b. If the debtor is a co controls, or holds 5% or Name and Address  22. FORMER PARTNER  If the debtor is a partners  . Name  22b. If the debtor is a co	rporation, list all officers & directors of the cormore of the voting or equity securities of the control of the voting of the voting or equity securities of the control of the voting of the	poration; and each stockholder who corporation.  Nature and Percentage of Stock Ownership  IOLDERS: Ship interest of each member of the Date of Withdrawal	partnership.

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In re

22b. If the debtor is a corporation immediately preceding the com		ationship with the corporation terminated within one	e (1) year
Name and Address	Title	Date of Termination	
If the debtor is a partnership or		A COPORATION: utions credited or given to an insider, including corner perquisite during one year immediately precedi	
Name and Address of Recipient, Relationship to Debtor	Date and Purpose of Withdrawal	Amount of Money or Description and value of Property	
24. TAX CONSOLIDATION GF	NOUP:		
If the debtor is a corporation, lis	. ,	cation number of the parent corporation of any contribution six (6) years immediately preceding the comm	•
If the debtor is a corporation, lis for tax purposes of which the de	. ,		•
If the debtor is a corporation, lis for tax purposes of which the decase.  Name of	ebtor has been a member at any time wi Taxpayer		•
If the debtor is a corporation, lis for tax purposes of which the decase.  Name of Parent Corporation  25. PENSION FUNDS:	ebtor has been a member at any time wi  Taxpayer  Identification Number (EIN)		debtor, as an

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 09/29/2009 /s/ William Edward D'Arcy X Date & Sign

William Edward D'Arcy

Dated: 09/29/2009 /s/ Meg Marie D'Arcy Meg Marie D'Arcy X Date & Sign

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy / Debtors

### **DEBTOR'S STATEMENT OF INTENTION**

PART A - Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1	
Creditor's Name: Franklin Capital Attn: Bankruptcy Dept. 47 W 200 S Ste 500 Salt Lake City UT 84101	Describe Property Securing Debt: Franklin Capital - 2003 Kia Sorrento - over 56,000 miles
Property will be (check one):	
□Surrendered	Retained
If retaining the property, I intend to (check at I	least one):
□Redeem the property	
■Reaffirm the debt	
□Other. Explain	(for example, avoid lien using 110 U.S.C. §
522(f)).	
Property is (check one):	
□Claimed as exempt	■Not claimed as exempt
	1
Property No. 2 Creditor's Name:	Describe Property Securing Debt:
Toyota Motor Credit Company	Toyota Motor Credit - 2003 Lexus ES 300 - over 52,000 miles
Attn: Bankruptcy Dept.	.,
1111 W 22Nd St Ste 420	
Oak Brook IL 60523	
Property will be (check one):	
□Surrendered	Retained
If retaining the property, I intend to (check at I	least one):
☐Redeem the property	
■Reaffirm the debt	
□Other. Explain	(for example, avoid lien using 110 U.S.C. §
522(f)).	
Property is (check one):	
■Claimed as exempt	□Not claimed as exempt

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## UNITED STÄTES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy / Debtors

### **DEBTOR'S STATEMENT OF INTENTION**

PART B - Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)

Property No. 0	
Lessor's Name:  NONE	Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2): □ Yes □ No

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

Dated: 09/29/2009 /s/ William Edward D'Arcy

William Edward D'Arcy

Dated: 09/29/2009 /s/ Meg Marie D'Arcy

Meg Marie D'Arcy

X Date & Sign

X Date & Sign

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

Bankruptcy Docket #:

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

#### The compensation paid or promised by the Debtor(s), to the undersigned, is as follows: \$1,000 For legal services, Debtor(s) agrees to pay and I have agreed to accept \$800 Prior to the filing of this Statement, Debtor(s) has paid and I have received The Filing Fee has been paid. **Balance Due** \$200 The source of the compensation paid to me was:

- - Debtor(s) Other: (specify)
- The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: None.

- The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law 4. firm, any compensation paid or to be paid without the client's consent, except as follows: **None.**
- The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11. U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the **first scheduled** meeting of creditors.
- (d) Advice as required.
- By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does **NOT** include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

#### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Bar No: IL 6197597

Page 1 of 1

Respectfully Submitted,

/s/ Mario M Arreola 09/29/2009 Dated:

> Attorney Name: Mario M Arreola LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603

312.332.1800 (PH) 312.332.6354 (FAX)

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## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

William Edward D'Arcy, and Meg Marie D'Arcy, Debtors

### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 09/29/2009 /s/ William Edward D'Arcy

William Edward D'Arcy

X Date & Sign

Dated: 09/29/2009

PFG Record #

/s/ Meg Marie D'Arcy

**Meg Marie D'Arcy** 

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

William Edward D'Arcy and Meg Marie D'Arcy, Debtors

### NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

In re

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ William Edward D'Arcy Sign & Date Dated: 09/29/2009 Here William Edward D'Arcy /s/ Meg Marie D'Arcy 09/29/2009 Sign & Date Dated: Meg Marie D'Arcy Here /s/ Mario M Arreola 09/29/2009 Dated: Attorney: Mario M Arreola Bar No: IL 6197597

PFG Record # 428475